№ 3
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The Right of Freedom

The Bulletin of the Human Rights Protection Committee in Belarus "Spring '96"



BETWEEN PRISON AND FREEDOM

Belarusian authorities turned out unable to make a reasonable and in fact the only right decision — to acquit Pavel Sharamet and Dmitry Zavadsky, journalists for the Russian ORT channel, to apologise and to right the wrong. The authorities remained stubborn up to the end, and both P.Sharamet and Dm.Zavadsky were sentenced conditionally. The first one for two years and the second for a year and a half.

The court had not considered the evidence for the defence, which made the defendants' innocence clear, and used fabricated documents. But, what could the court have done, if the president himself was interested in the termination of the case? It is not a secret that the court performed the will of the president, who was merciless and blind in his desire to revenge.

Everybody had a chance to see it at first-hand, foremost Barys Yeltsyn, Russian President. During the half-year of the "Sharamet case", after his "sincere and friendly" tet-a-tet and phone talks with Lukashenka, Yeltsyn reported at least five times, that "There are no problems with the journalists, Aliaxandar Rygoravich has promised to clinch the matter..." But the time was passing away, and nothing changed in Belarus. We could only guess why the "elder brother" tolerated this brazen attitude from the side of his "younger brother". Maybe, the matter was oil and gas free transit through Belarus?..

Still, Yeltsyn kept reminding Lukashenka about the journalists. In the after-sentence interview, P.Sharamet had to point out that the relatively mild decision of the judge (the prosecutor demanded three years in jail) was the result of the Russian President's constant interest in the journalists' destiny.

This half-year between prison and freedom has not gone without altering Pavel and his friends. After the time when they simply accepted in a mild intellectual way the "collective farm" president's method of governance, now they resist the regime. P.Sharamet's words "The freedom is to be struggled for" became the motto of many independent journalists. And they struggled, at first at the meetings and pickets for Pavel Sharamet's freedom, and later for democracy and liberty of speech in the country.

The "Sharamet case" was a political one from the first day, though the authorities tried to colour it. With his honest and truthful reportages from Belarus, Pavel had stung the authorities so badly that their desire to get even was overt. Let us take only the fact that Pavel was arrested for crossing the Lithuania-Belarus boarder (while making the film) the day after his reportage. Later on, after the case had obtained an unwelcome resonan-ce and Russian TV had made a stand for their colleague, they rushed to dig for evidence and sew down to the

(please see page 3)

CHRONICLE

***At the beginning of January*, vice-minister G.Dylian, on behalf of the Ministry of Education, banned school study of the creative works of the Belarusian writers N.Arsenieva and M.Siadnjou, emigrants from Belarus and citizens of the USA, and the poetess L.Geniyush, who had renounced USSR citizenship in protest against Russia's annexation of Belarus.**

***In the middle of January*, B.Khaimada, Editor-in-Chief of the Vitsebsk newspaper "Vybar", was sentenced to 3 days of arrest for picketing in Vitsebsk.**

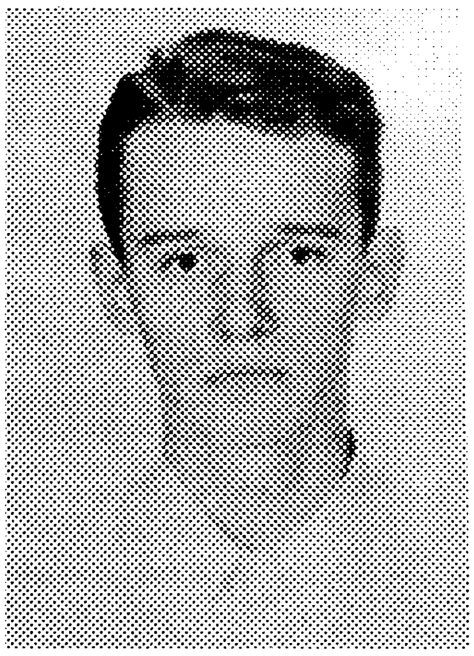
***January 21* — the restraint was changed, and the famous Belarusian businessman A.Pupeyka, who had earlier emigrated from Belarus and had been seized by Polish authorities at the request of the Belarusians, was set free on bail. A.Pupeyka had appealed the Polish authorities for political asylum. The sum of the bail was paid by Polish Helsinki Committee member and journalist Halina Bartnouska-Dambrouska.**

***January 22* — BPF Board Secretary V.Siuchyk was tried in absentia in Minsk Tsentralny District Court. Judge A.Barysjonak fined him 40 million roubles (equivalent to 1000 dollars) for taking part in the procession on November 23, 1997.**

***January 24* — Belarusian Popular Front's leaders and Democratic Labour Unions Chief G.Bykau visited the town of Dziatlava, Grodna Region. Armed militiamen "met" them and watched the house where they stayed over night.**

(please see page 6)

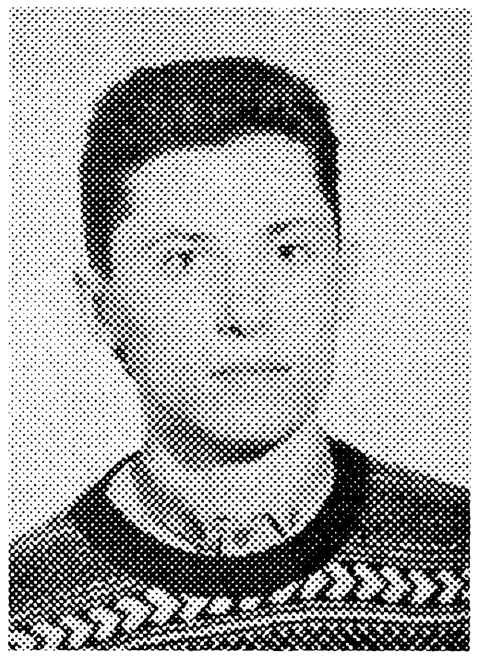
Behind Bars — Since August 25, 1997!



Vadzim Labkovich, 16, and Aliaxey Shydlousky, 18, wrote:

"Belarus is our home and our temple", "We love Belarus", "Belarus is our Motherland", "Long live Belarus!"

Therefore they were locked up...



The trial over Vadzim Labkovich and Aliaxey Shydlousky will start on February 18 in the Minsk Region Court. These political prisoners, after 6 months in the investigative ward, are being incriminated under article 1862 of the Criminal Code (desecration of state symbols), article 201 p. 2 (malignant disorderly conduct) and article 225 (cultural and historical values distraction or impairment). In this way the words written on the walls of houses in Staubtsy together with the flag unhanged from the roof of the District Executive Committee and the painting of the Lenin and Dzyarzhynsky monuments were qualified.

The executive bodies promise to hold the hearings publicly. We will see if Belarusian authorities risk to do that. Till now, they have been exerting themselves to suppress the existence of political prisoners in the country. They were able to cheat their "electorate" by calling the anti-presidential slogans as "malignant disorderly conduct" and making it a criminal offemce. But this did not last long. There are more and more people, who understand that the guys have been imprisoned and kept there for their voluntary struggle against the regime, even if it was spoken in such a "boyish" way.

A country-wide tide of public discontent proves it. Pickets have been conducted in almost all large cities. The world community also knows about the political prisoners in Belarus. This year is the 50th anniversary of the Universal Declaration of Human Rights. The Belarusian government has announced that this date will be celebrated state-level, that is why a "high" steering committee with Vice-Premier V.Zamiatalin at the head has been created. But it seems to us that under human rights not the citizens' rights are meant but the rights of a concrete person. And we know this person pretty well.



Vadzim Labkovich and his friends on one of the meetings.

Letters of Support to the Prisoners

■

"We, students of Minsk Secondary School №95, protest against the unfounded and drawn-out detention of our comrade Vadzim Labkovich in the Zhodzina Investigative Ward. We demand immediate legal investigation of his case and proof either of his guilt or innocence, in order to let him finish his school this academic year.

Tattsyana Vasilieva, Tattsyana Syarhenya, Ganna Petrusevich, Iryna Sushchyk, Yury Berastau, Volga Maksimava, Volga Mishur, Volga Kazhadub, Natallya Vyartsinskaya and others, altogether over 90 signatures of the 9-11 grades students of Minsk Secondary School №95.

■

"Dear Mr. and Mrs. Shydlousky,

Here, in America, while reading the papers about your son's arrest for taking part in a demonstration, I cannot believe that in Belarus there reigns a dictatorial regime. In America the arrested people get released the next day, especially if these people are young.

My sympathies are with you in this dire plight, as I know that parents want only good for their children.

Here it often happens that dogs have more rights than us. In the United States, if somebody notices another person beating a dog, he may apply to the Wildlife Protection Office, and then the violator gets locked up. But at your place, they beat you and do not allow even crying.

Since I left Belarus when I was 13 (I have been living abroad for 54 years), it is difficult for me to understand, that Belarusian authorities behave as if it were in Soviet times.

I wish you to outlive these difficulties, and I hope there are kind-hearted people in the administration that will set your son free.

With best regards,

K. VERABEY

SO WHO ARE THE VANDALS?

Archaeologists and historians have been continually surprised by sensational findings on the size of the former Roman Empire. Any "king for a day" had governed in Capitolia for only two months, untill he was killed by rebelling legionaries, but marble portraits of that emperor are still being found in Dolmacia, Britannia, Syria. The secret is simple. Ancient Zamiatalins, being unaware of the photographic mysteries, fixed up massive systems of sculptural manufactories. Right from the conveyer, heads of the new governor were sent in all directions and settled on conventional tendinous torsos of the Almighty Emperor. With the government shift, they had to change only heads.

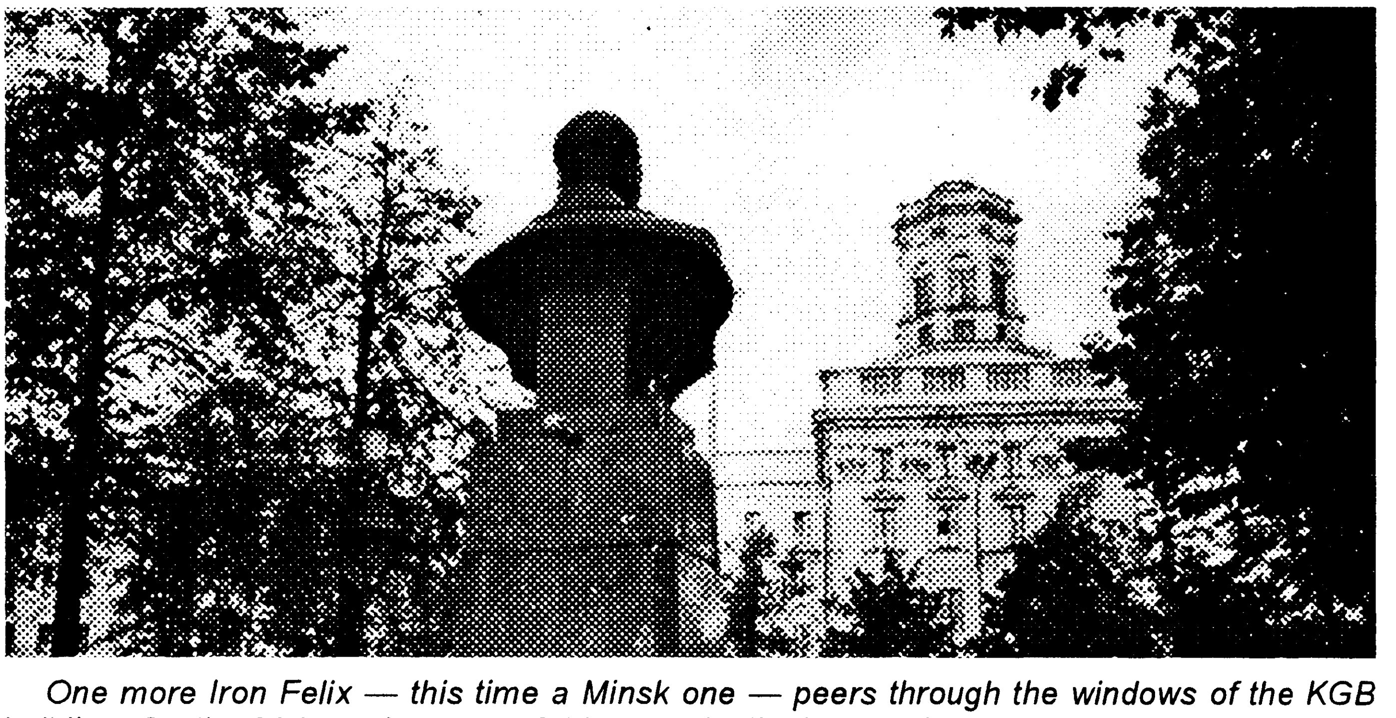
Something like that we were observing in the beginning of the decade in the BSSR satrapy after it was suddenly smitten with the change-fragments fever. Ideological brass pulled out from prodigious slogans one word and replaced it by another, and there appeared "Thank God" instead of "Thank KPSS". From Tirana to Ulan Udeh, peoples were throwing off those boring communist idols from their plinths. As for Belarus, here only one monument has fallen, being unknown whether according to Newton's law or with somebody's help. For rather long the head of F.Dzyarzhynsky, famous morfinist from Koidanava, had lain on the ground in Staubtsy, till "art critics in civil" were directed to put it back.

We could laugh at the diligence of these aesthetes from the Executive Committee, but still the restored idol keeps crippling people's lives. Last December the authorities added the article on "vandalism" to the case of "Young Front" members Vadzim Labkovich and Aliaxey Shydlousky. Indeed, a bit earlier somebody had painted the Stolbzy idol red. But now they want to accuse our young heroes of doing that.

Like in all actions of non-Bolsheviks, two signs — those of stupidity and cynicism — are easy to see here. Often responsible to the culture for the crimes, these signs serve that very system, which has been destroying our cultural memorials. One of the latest examples is the destruction of the Minsk Railway Station building. Under the guidance of the "orthodox atheist", today they defend the anti-artistic monuments to mankind and Belarus's enemies. With youth's glad cries, the brazen and concrete Dzyarzhynskys have been demounted in Moscow, as well as in Warsaw. It is only in our country, the latter never to become Christian, Red Demon with his comrades-in-arms rule on squares and in streets.

At best their place is in expositions dedicated to the grey period in our history. But their existence itself is an act of vandalism.

Valery BUIVAL



One more Iron Felix — this time a Minsk one — peers through the windows of the KGB building. On the 80th anniversary of this organisation's creation, two residents of Minsk put down under the bust a barbed-wire garland. They were arrested... The windows do not sleep.

BETWEEN PRISON AND FREEDOM

(continued from page 1)
case some deaf-and-dumbs and other "witnesses". At first it looked like P.Sharamet had informed against himself. As the authorities had nothing better, they used this "delation" to make short work of this undesirable, incorruptible and principled journalist, as well as to show that "it will be so with everyone"...

By this case with P.Sharamet, Belarusian authorities have shown to the whole world their essence and reminded what dictatorship, petty tyranny and despotism are in reality. But this case has shown also, that there are people in Belarus, who will assert successively the democratic principles and human rights. Today all those who see, think and make decisions irrespective of their political views, credos, language, nationality, educational level and social status, form the president's opposition. They understand that it is impossible to live in the country where iniquity and petty tyranny wield the sceptre.

Freedom is to be struggled for... In this country with evident features of totalitarism, we are all today "conditional convicts" and live between prison and freedom...

Andrey NALIVA

TRUTH-HUNT

Near Minsk "Kamarovka" there is a place, where you can always buy Russian opposition mass media: "Zavtra"["Tomorrow"], "Limonka" ["Pine"], "Pravda Zhirinovskogo" and simply "Pravda"... This place is habitual for the guy that sells these newspapers. There are not many customers, and very seldom anybody buys a paper — perhaps, to bate his curiosity, but it does not matter. The matter is that nobody has ever "send him off", nobody has barred his work, his "business", and numerous militiamen always pass by as if not noticing him...

Quite opposite thing happens in the Belarusian capital with sellers of Belarusian independent mass media. We do not speak about something prohibited and "underground", but about legally recorded issues. Men and women, that sell at subs "Imya", "Narodnaya Volya", "Belarusian Delovaya Gazeta" and other newspapers, have to act circumspectly, as every militiaman any moment may pull them to the local militia station.

The situation was aggravated with the first number of the newspaper "Naviny" (the stand-in of the banned "Svaboda"). Militiamen organized a real hunt on the mass media street circulators. In the Human Rights Protection Committee "Spring '96" there are several claims, made by militia's victims, arrested for realisation of independent mass media. The fact, that the "seizure" was produced by armed "collaborators" in camouflage instead of pointsmen and duty squads, point to the put-up character of the action. Similar "campaigns against..." are being held periodically. Militiamen act in a rough and cynical way and take no heed of the fact that most sellers do have licenses and sell, as we've mentioned before, not baned issues but authorised...

Independent circulators of the independent press first vanish from Minsk streets and cross-roads (either intimidated or taken by militia), then appear again. For many of them, it is not only the way to bring the truth to people, but also to make their bread...

Turned Gray after Arrest

The story we are going to tell you impresses with its inhumanity — even against the background of the cruelty, with which any kind of otherwise-mindedness is being persecuted in contemporary Belarus. Though the person that became one "fine" day a victim, was neither otherwise-minded nor oppositionist. And this fact illustrates the inhumanity of the regime more distinctly.

... Kolya Belatserkovets was an average boy. Although after he was born doctors informed his mother, Raisa Piatrouna, about the birth injury — a strangulated nerve, — first it did not bias the child's health. But then the boy went to school, and in the first grade it was found out that Kolya did not take even ABC arithmetic. That is why very soon he found himself in a special school for mentally retarded children. Teachers at that place wondered, "What is he doing here? He is a completely sane child!", but nevertheless he never learned to count. Now, at 34, he is still helpless when there is a need to count money. In other situations his mental weakness is almost invisible.

That sunny day 34-year-old Mikalay was going along the centre of Minsk and enjoying spring like other real children on nature do. What came to his mind, when he, with a world outlook of a 12-year-old child, saw in the next street many people and flood of white-red-white flags? Perhaps, their sudden beauty attracted him...

Mikalay came closer. Meanwhile, events were vearing towards their tragic denouement. Latticed cars and militia "UAZs" appeared. With the help of sticks, squads shepherded people up the courtyards... Very soon the crossing became empty, but Mikalay had not got under way...

"What the hell are you standing here?", roared in his ear a militiaman. Before Mikalay could remember himself, he was clubbed with a stick, swooped hand and foot and thrown into the car... It was on April 2, 1997.

...Pensioner Raisa Piatrouna could not even think that her elder son would get on the meeting. He could go only to a football match. Knowing this inveterate fan by sight and seeing that the guy is a bit out of his mind, militiamen let him in to the football games without a ticket. Football guards had compassion on him... But after Kolya had come back neither at night April 2 nor in the morning April 3, his mother suspected the worst...

The son came back at about one o'clock p.m. In crumpled clothes, in beltless trousers, with an unusual expression on his face. Shocked, he was shivering and could not utter a single word.

On his body Raisa Piatrouna saw huge bruises.

"Who has beaten you, sonny? Where did they beat you, sonny?.." she was able to say only this.

"Mom!.." Mikalay began to cry, "they are worse than beasts! More horrible than Nazi..."

At the moment of seizure, Nikalay had in his pocket a disability certificate of the second group. It was left in the Partsizansky District Interior Department (ROVD). Mikalay gave his mother another paper — an act of the Partsizansky District Court of 3.04.97. Judge Ella Kuzmenkova found it possible to fine Mikalay Belatserkovets 6,500,000 roubles. His guilt was described in the court act as following: "2.04.97 at 7.30 p.m. on the crossing of Chycheryn and Kamunistychnaya streets, Mr.Belatserkovets N.N. took an active part in the unauthorised gathering, where he *publicly criticized and expressed his dissatisfaction with President's and government's actions concerning the conclusion of a treaty with Russia.* (Italicized by me — **T.S.**). Did not respond on militiamen's legal demands to stop and disperse, thus broke art. 10 of Presidential Decree №5 of the Republic of Belarus."

Here several questions arise. Firstly, how could a person in the empty street "to stop and disperse"? Secondly, if people more or less acquainted with domestic legislation are admitted to militia, why did they, having read the disability certificate and being aware of the detainee's illness, compile a charge-sheet at all? Thirdly, how could judge Kuzmenkova bring to responsibility and fine a mentally handicapped — it means irresponsible — person?

More likely, it is some order guards and Femida's servants who behave like irresponsibles, driven by burning desire to perform any "order or decree". It is difficult to tell the feelings of harmless Mikalay when he saw in the investigative ward the detained beaten. On the other hand, he has met real people among those against whom the regime fights. The detained demonstrators treated an unfamiliar sick guy in a friendly manner, tried to calm him down and even made the militiamen settle the invalid for the night on a sofa instead of plank-bed. "Those people, whom they beat and arrest in the streets, are kind people", drew Mikalay a natural conclusion.

By the way, while restoring order at the day of the meeting, the servants of "order", absorbed by "inspiration" ecstasy, "composed" some facts about Mikalay Belatserkovets' work place. In the court act it is written, that he, pursuant to the charge-sheet, works as a burnisher at Minsk Ball-Bearing Plant. In reality, the lad is a psychoneurologic dispensary character and makes simple goods in "Navinky" workshops. In scientific words, it is occupational therapy. Mikalay works well — at least he meets the requirements and receives wages. For his family, this money (600-700 thousand roubles) is a significant support.

I have asked Kolya's mother, how long it would take to pay the charged forfeit. "If we sum up his wages and my pension and eat and buy nothing, it will take more than a half-year", she answered.

... Right after her son was back, the mother went with him to the Partsizansky District Interior Department to find out what had really happened. At the District Department building there stood a young militiaman with an automaton. Raisa Piatrouna fell into talk with him. The submachine-gunner's name was Kolya. "Like my son's", the woman said to herself and asked, "What ever are you doing, guys?.."

The militiaman Kolya depressed his eyes... Later in the same manner his colleagues on " the meeting jail shakedown" and simply job friends at the Partsizansky District Department would



revert their eyes. And the elderly woman Ella Ivanauna, or judge Kuzmenkova, would make nervous haste and remove her eyes. "It means that these people still have a bit of conscience", says now Raisa Piatrouna. After those talks in the ROVD, on their way home, her son confessed that he had recognised that "Kolya with an automaton", since he had been among the "meeting dispellers". But the mentally handicapped was tactful enough not to remind his namesake about the yesterday's happenings...

Raisa Piatrouna complained to the District Prosecutor's Office. As a result of Prosecutor's protest, at the end of April the Partsizansky Court had to cancel its own penalty decision.

The claim, directed by Kolya's mother to the Minsk City Court, has been unanswered till today. Though they managed to clear out the names of the people, who seized, beat Mikalay and appeased the lawlessness. Together with judge Kuzmenkova, among the action defendants there are militiamen Genadz Pasyuk, Syarhey Autukhou, Uladzimir Trushko, Leanid Shcharbakou. The mother asked the court to declare their actions in regard to her son as debaise and stretch of the duty authority and to collect from them 500 million roubles for moral damage.

Raisa Piatrouna has received two answers from the Minsk City Court. The contents of the first one, received in May, is as following: the claim "has been attached to the materials on the breeches of Decree №5" (please notice, that to the breeches of the decree, not of the Constitution; it means that the guilty was Mikalay, not militiamen). In the other, June answer they have written: in order to make the court hear a case similar to one of R.P.Belatserkovets, it is necessary to spread the facts of indignity through mass media. The court does not respond on the claims without a reportage...

Collaborators of the Partsizansky ROVD got the wind-up and phoned with the intention to visit the Belatserkovets family to talk. After Raisa Piatrouna gave an outright denial, they sent a letter: "During the investigation it was found that the militia workers had been acting according to law. The administrative record on art. 10 of Decree №5 of RB President in regards with your son had been compiled well-grounded and lawfully. Vice-President of Partsizansky ROVD V.L.Krasnichenka." To comment this outtake, we would say: after the shock overgone and psychological break, this young invalid could have become "lawfully" finally insane. The next day after his arrest, Mikalay, a 34-year-old man, turned grey! Only his mother knows how many medicaments (additional) they needed to escape Mikalay's cure at the Navinky psychneurologic dispensary. Today medicaments and money remain the worst problem of the family.

Mikalay Belatserkovets managed to outlive the personal violence from the side of state machinery and did not sour. As before now, he loves people, worships football, makes easy handiwork at his occupational therapy and remains a simple and open man. But his mother notices that the expression of Mikalay's face changes when he sees a figure in militia uniform...

Tattsyana SNITKA

Under the Threat of Derangement

the Advisory and Supervisory OSCE Group comes into operation in Belarus

The situation with the observance of human rights and constitutional course of law in Belarus has become of interest in the European Parliament. There it was decided to direct here an Advisory and Supervisory OSCE Group. It is to start its work on February 27. For the present, three members of this group with Mr. Ch.-G.Veek at the head have come already in Belarus.

The arrival of Bronislav Geremek, current President of the Organization of Sequrity and Cooperation in Europe and Foreign Minister of Poland, is responsible for starting the work. But today this visit is under the threat of derangement. Its reason is the worsening of the relationships between Belarus and Poland.

Belarus has even risked going to the extreme and called its ambassador to Poland Mr.V.Bursky back as though for counselling. Two versions of this decision exist. The first version is Poland's unilateral establishment of a new visary treatment; the second is "Poland's interference into Belarusian domestic affairs".

Let us explain what is meant under the second. At the beginning of February, in Belastok a Polish-Belarusian workshop "Democracy is a common affair" took place, with Belarusian opposition figures participating. Belarusian Ministry of Foreign Affairs called this arrangement an "unfriendly move" and accused the Polish side of helping the Belarusian opposition. Meanwhile, such workshops are a usual thing in Europe, and the nicety of Belarus may cause only astonishment with the inadequacy of actions taken, which, by the way are characteristic of dictatorial regimes... But how would they qualify those numerous "flying visits" by representatives of today's Russian opposition, who hold here their congresses, conferences and call upon to overthrow the "Yeltsyn regime", so abhorrent to them? By that, there was not a single case, when President of Belarus did not receive and greet these Russian "friends".

However, it is not a secret that the Belarusian authorities have agreed to admit the OSCE supervisors only under pressure from Russia (and Europe, of course), as Belarus, its "ally", with human rights violations is like a thorn in its side. But they would move heaven and earth to avoid persistent presence of Western supervisors in the country. That is why they invent different fake "reasons" to frustrate the work of the Advisory and Supervisory OSCE Group.

Thus the visit of Mr.Geremek in Belarus may not take place. Practical circumstances for this are being created by the Belarusian side. One of the latest briefings by Foreign Minister I.Antanovich point to it. He declared that he would like to discuss with Mr.B.Geremek during his visit the reasons for worsening of the bilateral relationships between Belarus and Poland. "Otherwise we consider this visit unnecessary...", he underlined. Meantime Mr.Geremek is to visit Belarus as OSCE President and not as Foreign Minister of Poland. He plans nothing but to open the operation of the advisory and supervisory group, and he is going to stand pat.

Our Mail

Name is Destiny

In one of the latest numbers of "Nasha Niva" (№99 — **desk**), my gaze rested on the following place of S.Paulousky's article "Republic of Motherland". I quote, "I think, free choice of the child's name should be put among the radical human rights, which still need to be ratified".

I am writing to your issue on human rights protection so that you pay attention to this problem. Perhaps, at first blush it is not of current interest (the headless do not cry for their hair, do they?), but very important. It is the irreversible right of every parent to choose the name for his or her child. It is pity that in our country this right is overall disregarded. I have faced it myself when decided to call my daughter by a double Belarusian name. The registry office worker listened to me, then took a book (out of the corner of my eye I saw something like "The dictionary of Russian peoples' names"), looked through it and finally said, "There is no such name" and refused to register my daughter...

Eventually I got my way. And I gave my daughter the name I wanted (by the way, the name is ordinary and I will not mention it lest to disappoint you), but I had to take great pains to achieve my aim.

Now then. The problem of the freedom to choose the child's name has existed and still exists. Even here foreign traditions are being thrust on us. I ask "The Right of Freedom" not to forget about this aspect of our life and think about it periodically so that in future Belarusians could call their children not only by historical and parental names but also... according to their goodwill and imagination.

Sincerely yours,

Barkulab SHYKH

Gomel

P.S. By the way, one of the signs of totalitarism is averageness, dullness and desire not to stand out from the crowd. The same happens with names. Among us there are only Sashy, Valodzi, Gali, Serheyi... But only fancy how our life would bloom if there were Runity and Volaty, Krasachki and Veraski...

B.Sh.

Politics Facts Comments

(continued from page 1)

January 27 — Counsel meeting of democratic parties took place, with all largest opposition parties of Belarus participating. On the meeting the following was stated:

"We, empowered representatives of political parties of Belarus, on behalf of our organizations declare our adherence to democratical principles, the most important of which we consider the principle of division of power.

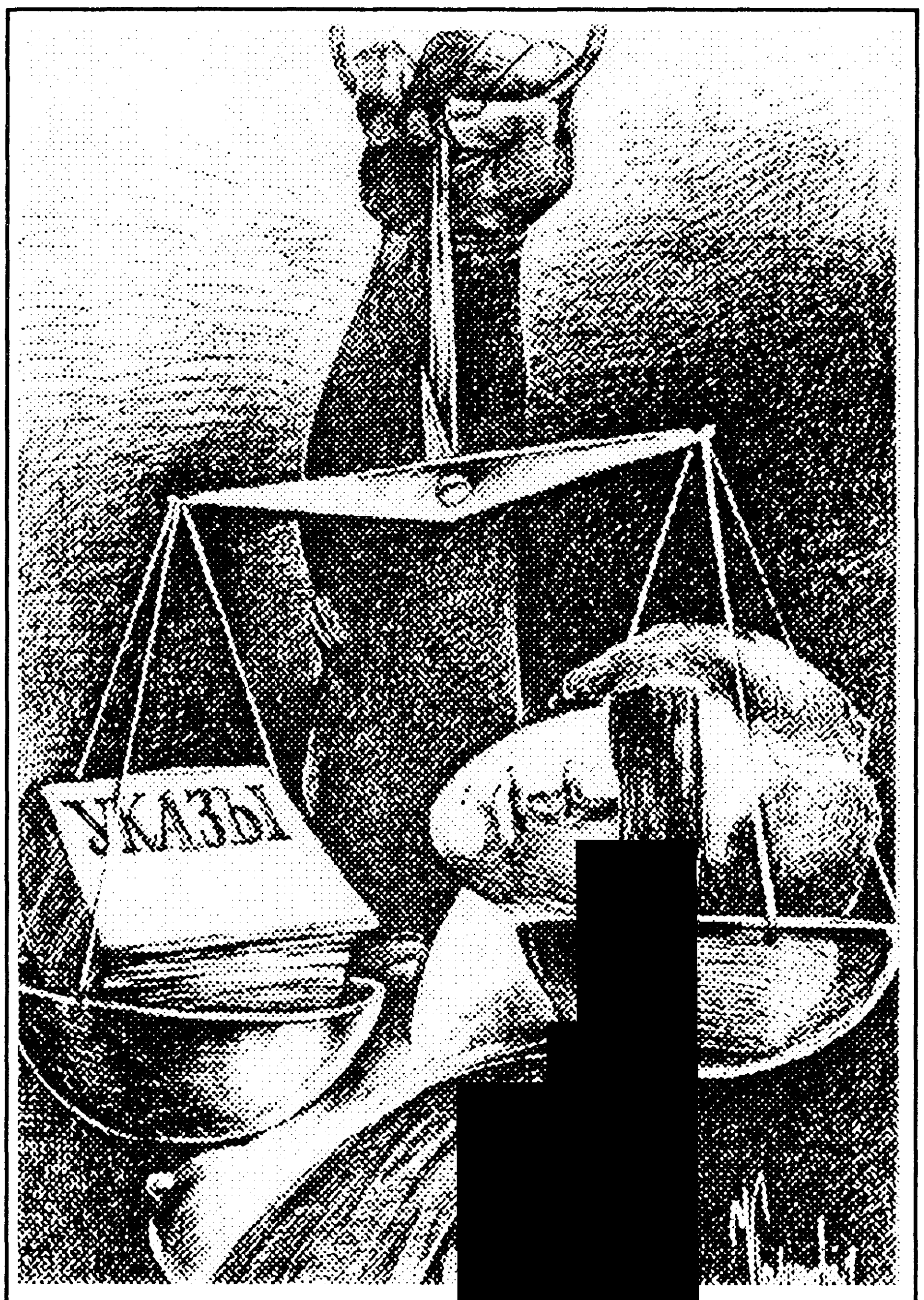
We affirm that we do not accept the force-enacted "constitution", which breaks this principle by letting the president name the heads and other officials of different power branches, to make law personally and replace acts of legislation.

Thereby we declare the impossibility for the parties we represent to take part in the House elections, as it has no proxy according to the "constitution" of 1996."

January 25 — about 100 residents of Slonim, Grodna Region, passed on their meeting a resolution with demands to reopen the newspaper "Svaboda", to release BPF members V.Labkovich, A.Shydlousky and V.Kabanchuk, to re-carry the Constitution of 1994 into effect. Separately, the meeting required an outright investigation of the case of Aleg Deika, young worker and father of two children, who had died at Slonim Militia Station.

January 31 — Mechyslau Gryb, former Supreme Soviet speaker of the 12th Convocation, called in the newspaper "Narodnaya Volya" presidential decree 655 "On pensions of the persons that have deserved well of Belarusian people" a regular violation of human rights in Belarus. This decree distinguishes among the persons of the same rank only those who accept the president's policy. Moreover, M.Gryb accused the authorities of listening to phone calls, letters and even postcards unsealing.

At *the end of January* — Vitsebsk BPF Rada activists B.Khamaida, Editor-in-Chief of the newspaper "Vybar", and Y.Maroz held a picket, during



which they sp [redacted] tic issues. The [redacted] by militia, and [redacted] (Zheleznadarc [redacted] sentenced ther [redacted] arrest.

After the [redacted] sustained, V [redacted] leader V. [redacted] organized a pi [redacted] the arreste [redacted] apprehensior [redacted] wrote that he [redacted] with the decrees issued by Lukashenka, and was acting according to the 1994 Constitution. The same judge S.Tufan sentenced V.Pleshchanka to 10 days of custody.

At *the end of January* famous Belarusian writers visited Grodna, where they, with the help of Grodna Rada of Belarusian Popular Front and the Society of the Belarusian Language, organised numerous meetings with students and adults of Grodna. In the town of Skidzel and village of Kaptsjouka suchlike meetings have been banned by the authorities.

In *January* one more citizen of Belarus has appealed for political asylum in the Czech Republic. It is 26-year-old resident of Minsk Syarhey Gradoukin. He is graduate of School of Law of Minsk University, one of the founders of Belarusian Students' Association and Executive Committee Pre-

[redacted]eer Lovers' Party. [redacted] like to remind you [redacted]ar the President of [redacted]arty A.Rymasheusky [redacted]ted to Poland and as- [redacted]r political asylum after several months of jail.

At *the beginning of February* RB Supreme Court verified the decision of Grodna Leninsky District Court and did not satisfy the demand of Y.Matsko, father of the student of Secondary School №10 Agata Matsko, to continue her schooling in Belarusian. The school administration have repulsed the request to give classes in the girl's mother tongue, whereby it has contravened the Constitution of RB and the Languages law. Nevertheless the court stood for the school administration in its Russification policy, the latter being characteristic of many educational institutions in Belarus.

February 2 — artist Viktar Savitsky was arrested in Vitsebsk as if for possession of several weapon items. The official mass media have simultaneously discussed this case and accused the opposition of extremism. With the atmosphere of fear in the society, this case seems to be fabricated by special services to blacken the democratical opposition in the eyes of people.

February 3 — the meeting of USA Ambassador to Belarus Daniel Speckhard with Grodna public took place. From the meeting hall, the permission to which was held according to the authority-stated lists, S.Astrautsou, journalist for the newspaper "Naviny" ("Svaboda") was shown out. He was told that only official mass media journalists had the right to report the meeting.

February 4 — President of the Lida independent labour union Valery Sliwkin was seized by militia after the entrepreneurs' meeting in Lida, Grodna Region. The protocol has been compiled and the case will be sent for trial.

February 6 — The property of L.Barshcheusky, acting President of BPF "Adradzhenne", was distrained. The owner had been fined before 30 million roubles for taking part in an authorised procession.

February 7-8 — youth group of the Navapolatsk Rada of BPF "Adradzhenne" was picketing in Navapolatsk to protest against the political detention of V.Kabanchuk, A.Shydlousky and V.Labkovich.

February 8 — a picket against the human rights violations in Belarus was held in Minsk on Y.Kolas Square. The picket was sponsored by Belarusian Popular Front "Adradzhenne", hundreds of people took part. During the picket signatures for the release of political prisoners V.Labkovich, A.Shydlousky and V.Kabanchuk and funds for their support have been collected.

February 10 — famous Belarusian entrepreneur Andrey Klimau was seized by KGB in Minsk. He is charged with a standard set of "crimes", familiar through other entrepreneurs' arrests, though the supervisors name as main just diverse reasons for his detention. Let us remind you that A.Klimau has been the publisher of the opposition and thus banned "Newspaper of Andrey Klimau" as well as Deputy of Supreme Soviet of the 13th Convocation and one of those, who was criticizing Lukashenka's "initiatives" instead of their maintenance.

The materials of this page are prepared by the Press Service of the Human Rights Protection Committee in Belarus "Spring '96".

No comments

"Without Resistance...

STATEMENT

April 8, 1997 Judge Zlobich T.K. (Minsk Tsentralny District) examined the materials, that he had received from Tsentralny ROVD Chief on Davydousky Uladzimir Michailavich, born 16.03.64, resident of Minsk... journalist for "Radio 101,2" (7 Revalyutsyinaya St.), married, with one child dependent on him, without prior convictions, never brought to administrative responsibility; and, after he had listened to his reasoning and original evidence of P.Bykousky, I.Khalip, V.Aliaksandrovich,

ADJUDGED:

to incriminate Davydousky V.M., that he took part in an unauthorised procession on 02.04.1997 at 19.20 p.m. at Russian Embassy (48 Starazhouskaya St, or practically 48 Staravilenskaya St), was going on the carriageway of Bagdanovich and Kamunistychnaya Streets thus blocking the traffic, yelled, whistled, did not react on numerous demands to stop the procession and wherewith broke art.10 of Decree №5.

At court, Davydousky V.M. did not admit guilt and explained that he was working as a journalist for "Radio 101,2". On the instructions of BAJ (Belarusian Association of Journalists), 02.04.1997 from 17 o'clock p.m. he was close to the place of communists' and BPF's meetings at the Gorky park and RB Opera House. Together with Vadzim Aliaksandrovich, journalist for the newspaper "Belaruski Rynak" ["Belarusian Market"], he went on the side-walk till the building of Minsk Tsentralny District Court, where he met Pavel Bykousky, journalist for the same newspaper, and together with him he went into the yard of 14A Kamunistychnaya St. There they found several journalists: Bykousky, I.Khalip, 2 journalists with cameras and some more 2-3 journalists.

While retreating together, they found themselves at the building 34 on Kamunistychnaya St, and in 5-7 meters from the house beneath their eyes militiamen in blue camouflage, some of them in helmets, began beating Deputy and journalist Shchukin. Press-photographers ran up to them and took photos, meanwhile I.Khalip together with her father V.Khalip and P.Bykousky tried to walk Stchukin away.

He, Davydousky, was left five meters from them.

At the same time, several militiamen came up to Davydousky from the right, one of them hit his dictaphone (Davydousky was recording on it) with a stick, then two of them began bashing his head and knocked him down, in spite of the fact that he kept telling them that he was a journalist. Davydousky was beaten by three militiamen, and he had no opportunity to resist as he was on the ground. Then he was put into the car and taken to Tsentralny ROVD, where they compiled a charge-sheet, and brought to the receiving prison on Akrestsina St. There he claimed that he felt dizzy, but nobody gave him medical aid.

02.04.1997 he was on duty and broke no laws. That is why he finds that the militiamen have excessed their power, inflicted bodily harm, apropos which he has been surveyed by a doctor.

The witness Khalip I.V. bore testimony at court, that 02.04.1997 at 18-19 p.m. she was on the instructions of her desk near at the meeting place at the Opera House in Minsk. She noticed Davydousky at the building 34 on Kamunistychnaya St, he stood by a group of journalists. At that time militiamen began beating journalist Shchukin, and she together with her father Khalip V.G. and other journalist rushed up to them to gather him. Meanwhile militiamen knocked her father down and began beating, she was also hurt.

She saw militiamen hit Davydousky V. and knock him down. Then she, her father, Shchukin and Davydousky were put into the car and taken to the Tsentralny ROVD. There they apologised to her and let go, her father was brought to hospital, where he has been till today. In the car Davydousky was pale and looked very ill.

The witness Bykousky P. explained, that 02.04.1997 he was reporting the process of the meeting on the instructions of his desk; at about 19 p.m. against the building 34 on Kamunistychnaya St he saw militiamen dragging Davydousky V., the latter did not resist.

The witness Aleksandrovich V.E. testified, that 02.04.1997 he was at the place of BPF meeting against the Opera House in Minsk on the instructions of his desk. There he met his fellow journalist Davydousky V. and went together with him on the side-walk from the theatre towards Minsk Tsentralny District Court, where Davydousky crossed Kamunistychnaya St. on green traffic light and he, Aliaksandrovich, crossed Bagdanovich St. on green traffic light, too, and went towards the Russian Embassy on Staravilenskaya St.

Davydousky V. neither shouted nor whistled and was doing his job.

Attorney Dounar N.N. asked to ignore the administrative bill in regards to Davydousky V.M. because of the lack of crime components.

After the case analysis I think that the cause should be expedited to the prosecutor of Tsentralny District of Minsk for the check-up of Davydousky V.M.'s arguments against militiamen's unlawful acts towards him.

Guided by art.233 of the Administrative Code of RB, the judge

RESOLVED:

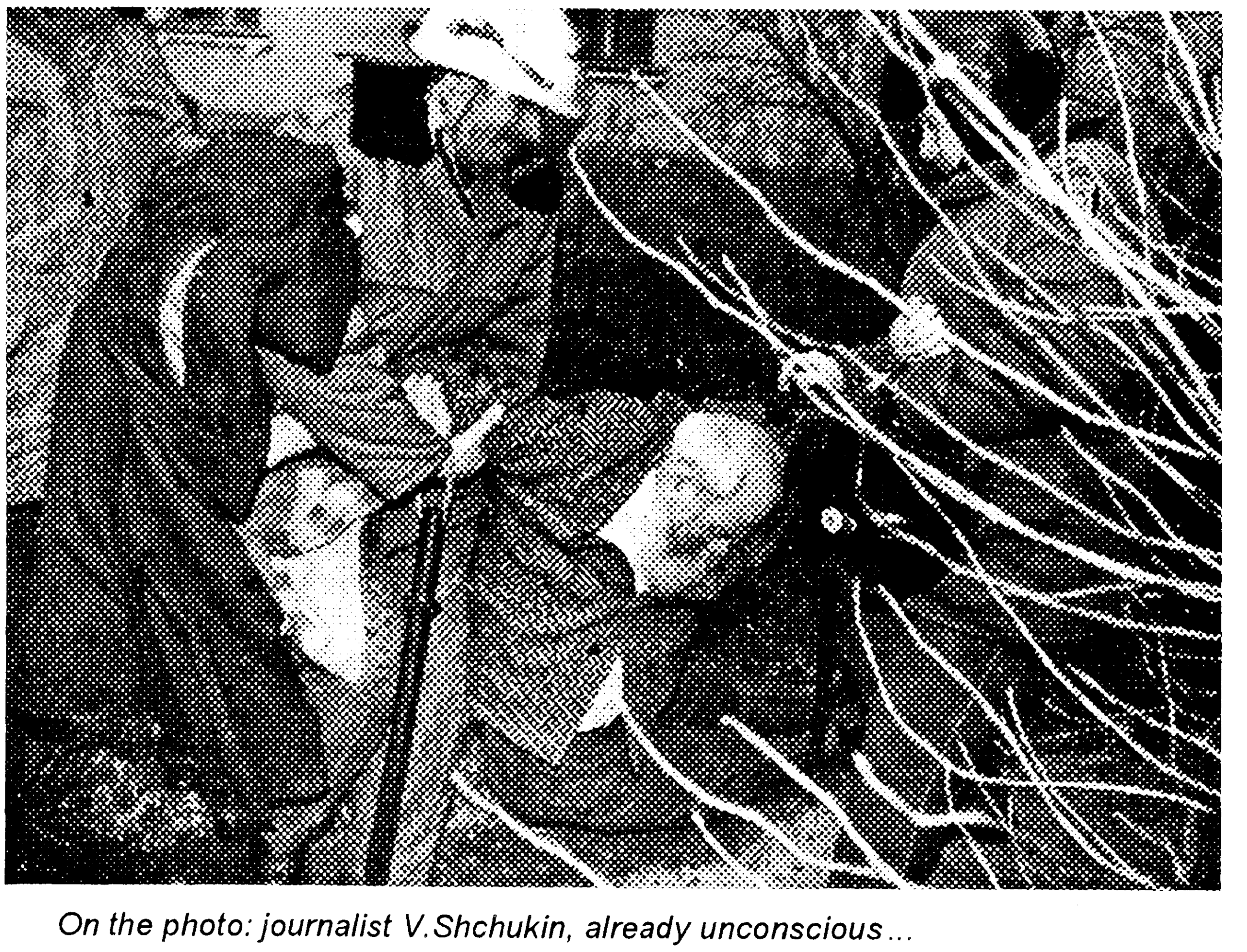
to expedite the administrative cause of Davydousky Uladzimir Michailavich to the prosecutor of Tsentralny District of Minsk for outworking the question of criminal suit bringing on art.167 of the criminal Code of the Republic of Belarus.

Judge: *signature*

P.S. Following our tradition, we do not comment upon the documents printed. But, in order to specify the set-up, we offer to the readers an outtake from another document — V.Davydousky's claim:

"...Nobbed several times, I was knocked down. Two more militiamen appeared near me, and they began beating me with their sticks and feet, hurting my head, back, kidneys and perineum... Then I was pushed into the car (over the bleeding playwright V.G.Khalip). In one or two minutes journalist Shchukin was thrown over me, then Khalip I., journalist for the newspaper "Imya", followed... Later, according to the medical examination, craniocerebral injury, numerous grazes and abrasions were stated (for the present time, injuries of some internals are fixed)...

P.P.S. And one more specification: last year not a single militiaman from the participators of beating at the opposition actions was punished...



On the photo: journalist V.Shchukin, already unconscious...

From the Inside of the "VALADARKA"

'Khata'

I was lying on the plank bed and looking at grey, shabby walls. The third 24 hours since I had been taken to the 'otstoynik' were passing. These 24 hours differed from the first and the second only by the fact that I was not taken anywhere. But the feeling of loneliness became unbearable.

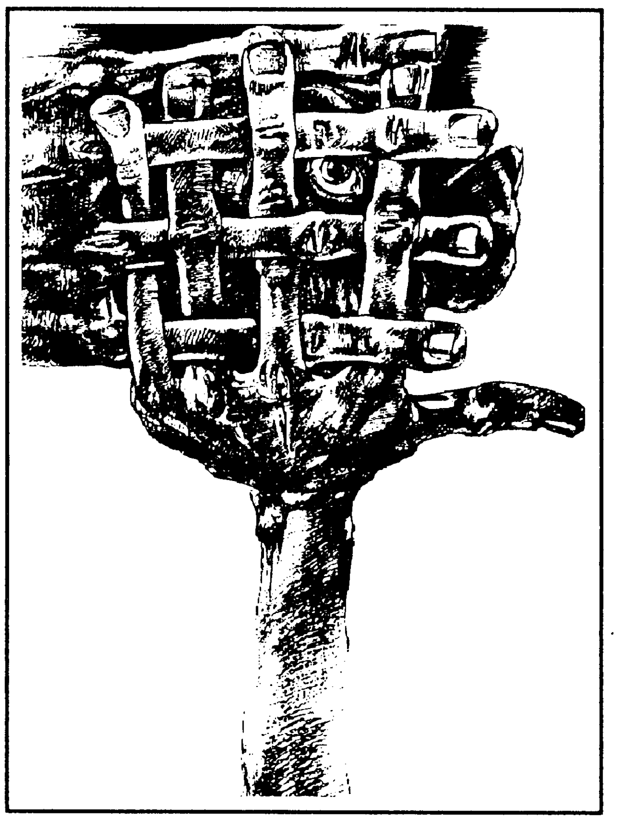
I knew my sentence, knew that I would have to go through the «osuzhdionka», «etap», colony — this consoled me a little. But it could not save me from my loneliness, and I could go mad because of it... And that is why I became really happy when in the wall, behind narrow bars, where a lamp was fastened, a mouse appeared. A small grey creature was climbing on the bars trying to get a piece of bread that stuck out in the upper corner. I understood that the mouse was tame, took a piece of bread and began feeding it. By the way, later I had to feed 'cell animals', but they were not small mice, they were big rats and I had to do it not because I liked them, but because I did not want my nose or my ears to be gnawn by a hungry beast...

At last, at the second half of the day, I was led out from my cell and escorted to a warehouse. A red-faced ensign, who used only cursing words for building sentences, gave me the necessary things: an old, dirty mattress, a pillow, filled with a kind of strings, «zetshka» (a cup made of aluminium), «vieslo» (a spoon). I was led through a narrow corridor to the cell for the sentenced. A half cellar room, 18 m^2, small windows with bars at the ground level. To the right from the entrance - «dal'niak» (lavatory), along the walls — «shkonky» (2-level iron beds, 14 in all), in front of them - «obshchak» (a table) and a narrow (4 steps) passage. All the furniture is welded by iron tubes.

I became the 17th inhabitant of this «khata». Mainly, here were «khimiki» and free-will settlers, sentenced for robbery, accidents, swindles. But later, those who were sentenced for more serious crimes, even for manslaughter, appeared in our cell. It was a violation of jail discipline, as well as lack of room for everyone, as some people had to share one bed, one person sleeping during the day, the other - at night.

The «Valadarka» is not a theatre but once a month a show is being performed there. Such shows are called «maski show». Unexpectedly, a group of people in camouflage and black masks on the faces burst into the cell. Brandishing with sticks, they begin throwing everyone out of the cell to the «prodol». If you are a little bit late you will be beaten immediately and you will suffer from pain for a long time. After such a «shmon» it is difficult to find personal belongings, moreover, some of them can disappear at all.

Besides the rules of discipline, written by the administration, there are special 'jail' rules. And if you somehow have got here, you must adhere to them. Generally, they cover behavior manners and hygiene rules. From the very first day of your staying in «osuzhdionka» you are watched, questioned: «Is everything OK with your past?», if you are not «stuckatch» or «petukh». If you are all right and for the first time here, they will explain to you, how not to get into «kosiack» (not to get into troubles). But, like in every community, someone wants to be a leader here, to take the best «shkanar'», to give some cigarettes and refuse cleaning the cell (by the way, such a cleaning is considered to be a common, 'normal' thing). All the rest



depends on you only. If anyone has come here from the investigation «khata» or his behavior has given reasons for any kind of doubts, they can send a «mulia» (a letter) to his previous «khata» and receive an answer. In order to do so they make «small ropes», «prytchal» (made of tightly rolled newspaper). With the help of this device cells are linked together through narrow splits in the windows. And after 22.00 the «rope pulling» begins. Tea, cigarettes and small things can be transmitted this way. The main thing is not to let the cops notice this «mail».

I liked this time of the day. A kind of communication existed and the time seemed to pass faster. We got newspapers (generally, «the Soviet Belarus») not regularly. Two times a month they gave us a book about communists' noble actions without a third of pages. The lack of toilette paper was compensated by books and newspapers. Non-smokers could use the lavatory only with a «fakel» (burning newspaper) in the hand.

It is allowed to have a TV set in the cell, but here a problem arises. First of all, how to ask to bring it. Three times I asked the Principal to let me write or make a call to my family. But everything was useless. Secondly, you don't know for how long you are to stay here: it may be both two weeks and three months. The main kinds of «entertainment» here are «mandavoshka» (dice) or draughts, which are made of bread. Once a day prisoners are taken for a walk but it does not make much fun. You are chased like cattle through a narrow «prodol», cops with dogs on each corner. It is enough for you to turn to be beaten with a stick. For some time everyone is locked in a small yard behind high walls, it can be even smaller than a cell. Above heads are barbed bars. Through the whole perimeter there is an iron shed. Till the middle of February, before a new Principal came to the «Valadarka», only those were taken for a walk who wanted it. The new Principal issued an order according to which either everybody or nobody from the cell could go. But what should do those who are sick, whose legs are swelling or decaying, or who has high temperature? It is easy to fall ill under such conditions: an overcrowded cell, lack of ventilation and very high humidity, not saying about those different insects (bed-bugs, ants, fleas, lice, cockroaches). Once a ten days period we are taken to the bath-house, we give our clothes to the «prozharka» but not everyone has spare clothes to change. In the «bolnyitshka» (a kind of hospital) there are only prisoners who are completely out of health. They are treated with some unknown ointment from large jars, which names prisoners identify by color.

Everyday they give a prisoner his «polozhniack»: a «korabl'» of sugar, quarter a loaf of white bread and half a loaf of rye-bread; we have had serious problems with digestion because of such food. In the morning we had a little of porridge, at the dinner time - borshch with groats, in the evening it could be soup or a portion of black, over-frozen cabbage. Such a ration was enough not to let a person die from hunger. Generally, everyone counts on the food which relatives and friends pass. Those who do not receive these gifts are really in a very tough situation. There are a lot of such people, for example, it happened to the man I shared a cell with. A young guy with a higher education who had had his own perspective business, according to his words, was sentenced for robbery to 3 years of «khimia». While under investigation, he received good food, drank good tea, smoked good cigarettes and was too proud, flaunting himself as a specialist in the field of jail behavior. After he found himself in «osuzh-dionka» the gifts suddenly disappeared, nobody came to visit him in jail. In the beginning, they asked a newcomer «to make an operation on a body» (to open and disinfect furuncles) for a couple of cigarettes, then they hung curtains on the «shkanar'» (a bed) in the corner and began asking him to make a massage. One morning I noticed that his mattress and personal belongings had been moved down on the floor, near «dal'niack», they threw him a «shliomka» (a box) from margarine «Rama» and prohibited him even to touch the «obshchak». They «lowered» him. From that very moment everyone was disallowed to treat him like a personality, like a man.

Mikola KACHAN

(to be continued)

Continuaion. For the beginning see №2.

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